

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Chris Robinson,)	C/A No. 5:12-cv-02623-TMC-KDW
)	
)	
Plaintiff,)	
)	
v.)	Report and Recommendation
)	
)	
Stephen Fuller, Chuck Lister, Steve)	
Adwell, Steve Greene, Peter Schafer, and)	
Pete Meffert,)	
)	
)	
Defendants.)	

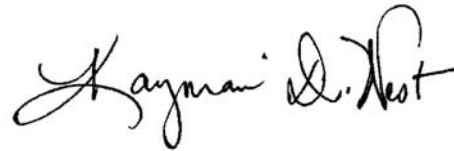
Plaintiff, an inmate proceeding pro se, brought this action alleging violations of his constitutional rights pursuant to 42 U.S.C. § 1983. On March 20, 2013, Defendants filed a Motion for Summary Judgment. ECF No. 40. Defendants also filed a Motion to Dismiss for Lack of Prosecution on March 27, 2013. ECF No. 44. As Plaintiff is proceeding pro se, the court entered orders on March 21, 2013 and March 28, 2013, pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), advising Plaintiff of the importance of dispositive motions and of the need for him to file adequate responses. ECF Nos. 41, 45. The two *Roseboro* orders were mailed to Plaintiff's last known addresses, Chris Robinson, #4605 Columbia Care Center, 7901 Farrow Road, Columbia, SC 29203; and Chris Robinson, #1000290956, Augusta State Medical Prison, 2001 Gordon Highway, Grove Town, GA 30813.¹ The envelopes containing these orders were returned to the court with a notation that Plaintiff is no longer at the South Carolina address, and undeliverable to the Georgia address.

¹ This Georgia address for Plaintiff was provided by Defendants in their Certificate of Service for their Motion for Summary Judgment, ECF No. 40.

ECF Nos. 47, 48. Plaintiff was advised previously by order dated November 7, 2012 of his responsibility to notify the court *in writing* if his address changed. ECF No. 17.

Based on the foregoing, it appears Plaintiff no longer wishes to pursue this action. Accordingly, it is recommended that Defendants' Motion to Dismiss, ECF No. 44, be granted and this action be dismissed *with prejudice* for lack of prosecution and for failure to comply with this Court's orders, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure and the factors outlined in *Chandler Leasing Corp. v. Lopez*, 669 F.2d 919, 920 (4th Cir. 1982). *See Ballard v. Carlson*, 882 F.2d 93 (4th Cir. 1989). If the court accepts this recommendation, Defendants' Motion for Summary Judgment, ECF No. 40, would be moot.

IT IS SO RECOMMENDED.

A handwritten signature in black ink, reading "Kaymani D. West". The signature is fluid and cursive, with the first name "Kaymani" being more prominent and the last name "West" following in a similar style.

April 4, 2013
Florence, South Carolina

Kaymani D. West
United States Magistrate Judge

**The parties are directed to note the important information in the attached
“Notice of Right to File Objections to Report and Recommendation.”**